

### **REMARKS**

Claims 1, 5, 9-13, and 17, are all the claims pending in the application. Claims 2-4, 6-8, 14-16, 18, and 19, have been canceled without prejudice or disclaimer. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

#### **Claim Rejections - 35 U.S.C. § 103**

The Examiner rejected claims 1 and 3-19 under §103(a) as being unpatentable over the prior art as set forth on page 1, lines 6-16 of the specification (hereinafter the APA) in view of JP 61-133357 (hereinafter JP '357) and in view of JP 60-174842 (hereinafter JP '842). Applicants respectfully traverse this rejection because the references fail to teach or suggest all the elements as set forth in the claims.

Claim 1 sets forth, *inter alia*, a machined retainer having a surface hardness of Hv 110 or higher but not exceeding 171, whereby the retainer is impact resistant, and wherein the retainer further comprises a pocket.

For example, on page 25, sample Nos. 36 to 38 and 40 of Table 6 in the 3<sup>rd</sup> Example, there are the descriptions that the hardness is Hv 110 to 171, and that the retainer is excellent in the repeating frequency in the dropping impact test as well as is excellent in the abrasion amount of the abrasion test. Further in the specification, the description "... the excellent performances are available in both of the impact resistance and the abrasion resistance." is found at least on page 25, lines 3-6. Moreover, in the 2<sup>nd</sup> Example, there is the description "... was machined for making the machined retainer (one-body type) of the cylindrical roller bearing of the bearing number NU 218. That is, ... the peripheries were opened for pocket by the end milling. Then, the pocket was chamfered by the slotter..." See page 17, line 25 - page 18, line 6, for example. Also, in the 3<sup>rd</sup> Example, there is the description "the ring materials were machined to produce the machined retainers (one-body) for cylindrical roller bearings of the bearing number NU218". See page 24, lines 1-3. These descriptions indicate that the machined retainer (one-body) for cylindrical roller bearings of the bearing number NU218 "has a pocket".

In contrast to that set forth in claim 1, JP '357 teaches a minimum hardness value of HRB 86 (= Hv 175) for alloy No. 7 in Table 2. In addition, "a surface hardness not exceeding 171" is

not described in JP '842. Therefore, even assuming that one of ordinary skill in the art were motivated to combine the references as suggested by the Examiner, any such combination would still not teach or suggest "a surface hardness equal to Hv110 or higher but not exceeding 171", as set forth in claim 1.

Further, JP '357 and JP '842 describe plastic forming property, cutting property, seizure resistance, and abrasion resistance. But these references do not teach or suggest a retainer excelling in impact resistance, as set forth in claim 1.

Moreover, JP '357 and JP '842 relate to slide bearings, which have a shape different from that of a rolling bearing, which is set forth in claim 1. And neither of these references describes that the bearing "has a pocket" as set forth in claim 1. Although the APA describes a rolling bearing, one of ordinary skill in the art would not have been motivated to combine therewith, the disparate teachings of JP '357 and JP '842 that relate to slide bearings.

For at least any of the above reasons, the APA, JP '357, and JP '842 fail to render obvious claim 1. Likewise, these references fail to render obvious dependent claims 5, 9-13, and 17.

### **Conclusion**

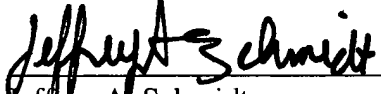
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111  
US Appln. 09/657,470

Atty. Docket: Q60746

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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